

Mississippi Secretary of State

700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Michaela Hill	TELEPHONE NUMBER 228 523-4011	
ADDRESS 1141 Bayview Avenue		CITY Biloxi	STATE MS	ZIP 39530
EMAIL Michaela.hill@dmr.ms.gov	SUBMIT DATE 3/16/12	Name or number of rule(s): Title 22, Part 7		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: Chapter 8 Section 100 Subsection 100.12 reduces possession limits for grouper from 5 to 4 and defines fish in the grouper aggregate for recreational fishermen; Subsection 100.12.07 requires recreational fishermen to only be in possession of 2 gag grouper within the grouper aggregate; Subsection 100.13 requires recreational fishermen to only be in possession of 1 speckled hind and/or 1 Warsaw grouper per vessel within the 4 fish grouper aggregate possession limit; Subsections 100.13-100.16 are reordered and renumbered. Chapter 9 Section 100 Subsection 100.03 through 100.07 are renumbered so that similar fish species are regrouped together; Subsection 100.08 changes minimum size of commercial red snapper to 13 inches from 15 inches total length; Subsection 100.12 is removed and renumbered to 100.15 and 100.16 so that these two species can be listed individually; Subsection 100.13 deleted and renumbered as 100.17 also deletes gag grouper then adds gag grouper as a separate species in 100.18; Subsection 100.13, 100.14, 100.19, 100.20 and 100.21 adds reef fish species within the NOAA Gulf of Mexico Reef Fish Fishery Management Plan; Subsection 100.15 changes commercial size limit for red grouper from 20 inches to 18 inches total length; Subsection 100.18 changes commercial minimum size limit of gag grouper from 24 inches to 22 inches; Subsections 100.03 through 100.27 reordered and renumbered. Chapter 9 Section 104 deleted and new language substituted to require commercial fishermen, person, firm or corporation to be federally licensed to sell barter or trade in reef fish species listed in Section 100.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7: Chapter 8 and 9, Recreational Bag, Possession and Size Limits

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): 6/1/2012	Date Proposed Rule Filed: Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Dr. William W. Walker, Executive Director

Signature of person authorized to file rules:  3/16/12

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Accepted for filing by	 Accepted for filing by 	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.